

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 4:06cr11LS

MARGIE E. GRICE

MOTION TO DISMISS INDICTMENT

Pursuant to Rule 48(a), Fed. R. Crim. Pro., the government respectfully moves the Court to dismiss the indictment in the criminal cause above styled and numbered, and for cause would show that the government is satisfied of a failure of a key element of discovery through the inadvertent erasure of certain security videotapes which would otherwise constitute evidence.

Respectfully,

DUNN LAMPTON  
United States Attorney

By: s/s Jack B. Lacy, Jr.  
Assistant United States Attorney  
MSB No. 1757

ORDER DISMISSING INDICTMENT

By endorsement hereon, the Court dismisses the indictment in the criminal cause above styled and numbered with prejudice.

SO ORDERED, this the 13<sup>th</sup> day of December, 2006.

/s/ Tom S. Lee  
TOM S. LEE  
United States District Judge